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C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 001137

SIPDIS

DEPARTMENT FOR A/S FRIED, EUR/SCE AND EUR/ERA

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TAGS: [PREL](#) [EUN](#) [UNMIK](#) [KV](#)

SUBJECT: A/S FRIED URGES RAPID EU-UN TRANSITION IN KOSOVO

REF: USEU BRUSSELS 1088

Classified By: USEU Political Minister-Counselor Christopher Davis for reasons 1.4 (b) and (d).

11. (C) Summary: EUR Assistant Secretary Fried emphasized to a group of EU Political and Security Committee Ambassadors and, separately, to EU Director General Robert Cooper that the EU must do more to quickly resolve UNMIK-EULEX transition arrangements for Kosovo and should not waste the opportunity presented by the combination of relative stability on the ground and a moderate government in Pristina. The EULEX mission should be deployed throughout all of Kosovo and neither Belgrade nor Moscow should be permitted a de facto role in determining the parameters of the mission. European officials underscored the EU's commitment to EULEX and queried Fried on his assessment of developments in Serbia. EULEX officials reported, subsequent to A/S Fried's conversations, that negotiations with the UN remain stalled over terms of a Memorandum of Understanding, transfer of assets, and privileges and immunities for mission personnel. End Summary.

12. (C) Assistant Secretary of State for European Affairs Daniel Fried told a group of ten EU Political and Security Committee (PSC) Ambassadors July 23 that the moderate and responsive government in Pristina coupled with a relatively stable security situation presents the U.S. and the EU with a window of opportunity to make progress in Kosovo. He warned that further paralysis in the transition from UNMIK to EULEX while Brussels and New York wrestle with arrangements on office space will result in a wasted opportunity and will present a real risk to European security. Citing declining U.S. and EU political capital with the GoK, Fried emphasized the immediate need for EULEX to deploy throughout all of Kosovo, albeit cautiously and with little fanfare in the North at first. He urged the assembled European officials neither to hide behind their differences in opinion over Kosovo's recognition nor to allow Belgrade or Moscow to determine the rate and scope of EULEX deployment. Fried underscored that we should not look to NATO to respond to instability that results from further delays in transition.

13. (C) French Deputy PSC Representative Didier Chabert agreed with Fried's comments and emphasized the EU's collective willingness to take responsibility for all of Kosovo as witnessed by recent EU agreement on the EULEX plan for non-majority areas (reported reftel). Czech PSC Ambassador Ivo Sramek noted that the problems between the UN and EU were not limited to office space, but rather also involved UNMIK's continuing presence in Kosovo and the seeming reluctance of UN authorities in New York to engage in good faith. Belgian PSC Ambassador Dirk Wouters admitted that perhaps the EU

should not wait for all the outstanding issues with the UN to be resolved before resuming EULEX deployment. Responding to Wouters' question about how EULEX could best neutralize troublemakers in the North, Fried emphasized the importance of controlling the borders and arresting individuals who are inciting violence. EULEX "can't give in to the threat of a Belgrade mob," said Fried, and if the mission is proactive in seeking arrests, EULEX will gain credibility from both sides as a result.

¶4. (C) Turning to Serbia, an Austrian official asked for Fried's assessment of the implications of the Karadzic arrest. Fried argued that while we should publicly welcome the arrest, in private and more generally speaking, Serbian Foreign Minister Jeremic should not be given a "free pass" and must choose "whether he wants to be a European." Wouters said that the EU was currently experiencing a rare moment of opportunity with Serbia's pro-European government, and now could be the time to look for a more pragmatic Serbian attitude towards the EULEX mission.

¶5. (C) In a conversation held July 22, EU Council Secretariat Director-General for External Relations Robert Cooper agreed with Fried's assessment that our "golden moment" in Kosovo could soon pass unless the EU was able to effectively orchestrate the transition to EULEX. Balkans Policy Unit Director Michael Giffoni told Fried that the EU was close to reaching a deal with the UN on privileges and immunities and the transfer of assets, but the key outstanding issue was the transfer of office space. Although Cooper seemed unaware of the details of the negotiations that

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Giffoni described, he noted that the UN and EU would hold another negotiating session late on July 22 and promised A/S Fried that he would raise the issue to the political level if a deal was not quickly reached. (Note: Cooper also noted that Giffoni has been named Italian Ambassador to Kosovo.)

¶6. (C) In subsequent conversations with PolOff, Giffoni and EULEX Political Advisor Dana Purcarescu said that after the July 22 EU-UN discussions, the negotiations remained stalled over the issues of the language of the Memorandum of Understanding between the two organizations, privileges and immunities for the mission, and transfer of previously-promised building space. Purcarescu said that the EU has concluded that the UN "doesn't want to play the game" because they continue to stall for more time and revisit previously-agreed text. Negotiations will continue, although she said that hopes for an agreement in time for a UN Security Council meeting on July 25 were quickly fading. She added that mission officials will recommend that HR/SG Solana engage more directly with the UN on this issue.

¶7. A/S Fried did not have an opportunity to clear this message before departing post.

SILVERBERG

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